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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,462	02/20/2001	Kathryn A. Jones	PM 0271434	6361

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KIRKPATRICK & LOCKHART NICHOLSON GRAHAM LLP  
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EXAMINER
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BAYERL, RAYMOND J

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 08/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/785,462

Applicant(s)

JONES ET AL.

Examiner

Raymond J. Bayerl

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 - 26 is/are pending in the application.
- 4a) Of the above claim(s) 1 - 5, 24 - 26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6 - 23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 6 – 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Li ("Li"; US #6,609,050 B2).

Applicant has noted in the 5 May 2005 response that applicant's date of invention extends back to 12 June 2000, the filing date of the corresponding US Provisional SN 60/210,905, so that the previously relied-upon reference Anderson et al. (US #2002/0091706 A1) does not in fact qualify as prior art under 35 USC 102(e).

Applicant's response points to specific locations in the '905 parent application that serve to establish and perfect this claim to earlier priority.

However, and upon new consideration, the "programmable apparatus", "method" and "machine readable medium" of the respective independent claims 6, 10, 14 are anticipated by the VEHICLE WARRANTY AND REPAIR COMPUTER-NETWORKED SYSTEM of Li. Specifically, and with reference to fig 7, a "branding region" has its counterpart in the C.O.S.M. section of the interface, in which a DaimlerChrysler logo is presented. The "task bar" claimed appears at the bottom of the interface in fig 7, with the initial button WS /97-2321. A "content region" reads upon the section 200, where the Customer Description of a COMPLAINT is entered. The "context region" in Li appears at the left side of the interface, with Write-Up ID and spaces for additional staff involvement below. Please note further that when the Li user advances through "a plurality of different applications", as seen in figs 7 then 8, "a location and size of each

region and the task bar remains substantially constant, despite changes in content displayed in each region".

As per claims 7, 11, 15, "user identification" such as John Brogan or Philborn, S. is given a "portion" in Li. Then, in the Analysis Required section (fig 9), "a list button region" is presented. The items of the Li "task bar" provide "user assistance" and "action buttons", while the indication of specific personnel under the Phone menu at the left side provides "relationship buttons".

Claims 8, 12, 16 elaborate upon the contents of the regions of the independent claims, using items "selected from the group consisting of", where the prior art illustration of any one member of the "group" is sufficient to read upon the claim. In particular, the "branding" that is established by the DaimlerChrysler indicia in Li's fig 7 includes "automobile service provider names", as in John Brogan, Service Advisor. The "context region", in listing a Write-Up person (Philborn, S.) has "automobile service order information"—the individuals who will attend to the service request. In the "content region", "information relating to" "activities and processes" is seen, as in the customer's indication of COMPLAINT in fig 7. This "content region" also has "vehicle data" in the form of Symptoms, as they are represented in fig 8.

As per the "information pertaining to an automobile repair order" in claims 9, 13, 17, also with "information...selected from the group consisting of", the Analysis Required section of the Li interface has Est Hrs as an entry (fig 9), thus reading upon "time to complete the ordered repair".

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3. Claims 18 – 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Kerkinni ("Kerkinni"; US #2002/0107833 A1).


Though applicant has established with the 5 May 2005 response that the previously-relied upon reference Stoyanov et al. (US #2002/0123961 A1), with an effective filing date of 25 January 2001, is not in fact prior art under 35 USC 102(e), the newly-cited Kerkinni reference, which also has to do with vehicle leasing, has an effective US Provisional filing date of 29 October 1999, which pre-dates applicant's 12 June 2000 date of invention.

Specifically, and as in independent claims 18, 20, 22, Kerkinni's METHOD AND SYSTEM FOR TRACKING EQUIPMENT USAGE INFORMATION reports usage information for equipment such as leased vehicles, automobiles (Abstract). Within an interface such as seen in Kerkinni's fig 9, a FLEET NUMBER and EMPLOYEE ID dialog give access to "a plurality of display regions" such as the one in fig 10. These are regions "**corresponding to** a lease term", that being the one afforded an EMPLOYEE such as SHERMAN, P. Then, the line items into which the individualized REPORT is divided provide "information **pertaining to** available lease programs" that are instituted for each UNIT item in the FLEET. These include at least "the lease term", as in the DAYS AVAILABLE indication.

Also in Kerkinni, and as in claims 19, 21, 23, when the display is presented responsive to the user dialog, an "input requesting a sort of the information displayed" is entered, since the DATE SUBMITTED is presented in chronological order.

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond J. Bayerl whose telephone number is (571) 272-4045. The examiner can normally be reached on M - Th from 9:00 AM to 4:00 PM ET.
5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (571) 272-4048. All patent application related correspondence transmitted by FAX **must be directed** to the central FAX number (571) 273-8300.
6. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

  
RAYMOND J. BAYERL  
PRIMARY EXAMINER  
ART UNIT 2173

18 July 2005